

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

Plaintiff,

ORDER

-against-

24 MAG 883 (JW)

RANDY RUIZ,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

Randy Ruiz was arrested on a complaint on February 28th, 2024 at 5pm and brought to court for a speedy presentment today, February 29th, 2024. Mr. Ruiz appeared to be actively psychotic during his court appearance. He also refused to speak to CJA counsel in a meaningful way prior to the case being called. For these reasons and the more detailed reasons stated on the record in court, the presentment was not able to proceed.

The Court sua sponte is ordering a competency evaluation of Mr. Ruiz pursuant to 18 U.S.C. 4241 (a) because there is reasonable cause to believe that he is presently suffering from a disease of defect that renders him mentally incompetent. Because Mr. Ruiz could not be presented a bail determination pursuant to the bail reform act was not held. However, 18 U.S.C. 4247 (b) authorizes the Court to remand Mr. Ruiz for the purposes of that evaluation. After a hearing on the appropriateness of such a remand, the Court, for the reasons stated more fully on the record, determined that Mr. Ruiz is currently a

flight risk and danger and unlikely to cooperate with a competency evaluation if released. For those reasons he was remanded into custody.

Per the requirements of 18 U.S.C. 4247 (b) the remand must be for no more than 30 days. The Bureau of Prisons is ordered to examine Mr. Ruiz for competence within that 30 days.

The next court date is March 29, 2024.


I will retain jurisdiction over this matter until the issue of Mr. Ruiz's competence has been resolved.

Relying upon the financial affidavit previously filed on behalf of Mr. Ruiz, I found that he does qualify for the appointment of counsel and appointed CJA Scholar.

The presentment of Mr. Ruiz is stayed pending the outcome of this examination.

SO ORDERED.

DATED: New York, New York
February 29, 2024


JENNIFER E. WILLIS
United States Magistrate Judge